

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, February 27, 2008 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

| | | |
|-----------------|-----------------------------------|----------------------|
| Present: | Councilmember Howard Shook, Chair | Janice D. Davis, CFO |
| | Councilmember Felicia A. Moore | Departmental Staff |
| | Councilmember Cleta Winslow | |
| | Councilmember Jim Maddox | |
| | Councilmember Clair Muller | |
| | Councilmember Kwanza Hall | |

Chairperson Shook called the meeting to order at 1:30 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Cleta Winslow, Jim Maddox, Clair Muller and Kwanza Hall. Other Departmental staff was present as well.

The Agenda was adopted as printed with one new Resolution. Minutes of the February 13, 2008 Regular Finance/Executive Committee were adopted.

DISCUSSION ITEM

2007 FINANCIAL AUDIT – BANKS, FINLEY & WHITE

Chairperson Shook stated that it is not ready yet. CFO Davis responded that we are meeting with the Auditors to discuss the Management Letter on tomorrow and we should be ready in two weeks.

LEGISLATIVE UPDATE

Ms. Megan Middleton: of the Mayor's Office of Intergovernmental Affairs addressed the Committee by stating that we are in the 40th day of the Assembly. The Cameras in School Zone Bills are **(SB 510)** and **(SB 453)**. The Bill is to enhance penalties for drug dealers around State Parks is **SB-53**, the Community Court Bill is **SB-511**. Councilmember Moore asked about the Public Safety Building Authority. Is this going to be an option? Has this passed? Ms. Middleton responded that it is pending. Chairperson Shook asked if it was part of last year's Bill. CFO Davis responded that adds \$60 million dollars. Councilmember Winslow asked about the Court operations. Ms. Middleton responded that it would give us the ability to apply for Grants. Councilmember Winslow stated that a couple of Bills deal with Taxi Drivers to add safety shields and cameras. The State is saying that it gives the drivers an option. It involves taking over the regulation of the Taxi Cab industry. Ms. Middleton responded that it could open up the doors for it. Councilmember Winslow asked if it passed, would it be for the whole State. Ms. Middleton responded yes. Chairperson Shook asked about the Franchise Fee Legislation. Ms. Middleton responded that it changes the language to Franchise Tax. They took out one Section of the Legislation regarding a Referendum. It prohibits unincorporated areas to be charged Franchise Fees. Chairperson Shook asked if we have a range of a hit. Ms. Middleton responded around \$40 million dollars and it has been around for about a month. **SB-796** freezes the property assessment and includes a revenue cap. **HB-979** is sitting in the House Bill Committee. Chairperson Shook asked about the transportation funding. What are we doing? Are we supporting or opposing the Bills we don't like? Ms. Middleton responded that they are constantly moving. We are evaluating what is out there. We are meeting with Ms. Luiz Borrero to see what we like or dislike. We are looking at local authorities and keeping the money within the City. Councilmember Winslow asked about the Franchise Fee. Is it close? Ms. Middleton responded that it could be pulled up on any day. Councilmember Winslow asked if it may get on the calendar and be passed. Ms. Middleton responded that she expects it to get to the floor. Councilmember Moore asked do you monitor other governmental bodies Bills. Ms. Middleton responded Fulton County, etc. Councilmember Moore asked why you do not come to Council to let us know things that impact us for instance, the decision to no longer fund the Fulton

County EMS. Ms. Middleton responded that the Administration has been following it. Councilmember Moore asked what are the mechanics of informing us? Ms. Middleton responded that she is not aware of the process. Councilmember Moore stated that one should be established. Ms. Middleton responded that she is not aware of if it was voted on. Councilmember Moore asked for the Director to respond to this question. Councilmember Maddox asked about **HB-1354**. Ms. Middleton responded that it passed the House Committee on yesterday. There is also a Senate Bill very similar and they both are moving forward.

TO APPOINT MR. MICHAEL HOSMER

08-C-0217 (1) A Communication by Councilmember Felicia A. Moore appointing **Mr. Michael Hosmer** to serve as a member of the Perry/Bolton TAD Advisory Board. This appointment is scheduled to begin on the date of Council confirmation. **(Forward with no recommendation by Finance/Executive Committee, 2/13/08; Forwarded to Full Council with recommendation to be referred to Finance/Executive Committee by Committee on Council, 2/18/08; Referred to Finance/Executive Committee by Full Council, 2/18/08)**

HELD

CONSENT AGENDA

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY LOCATED AT 207/211 VINE STREET

08-O-0402 (1) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE RENEWAL AGREEMENT NO. 2 WITH ADS, LLC

08-O-0403 (2) An Ordinance by Finance/Executive Committee authorizing Renewal Agreement No. 2 with ADS, LLC F/K/A ADS Corporation for FC-7710-04, Flow Measurement in Combined Sewers and Separate Sanitary Sewers, on behalf of the Department of Watershed Management; to waive the Competitive Procurement Provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO CORRECT ORDINANCE NUMBER 07-O-2216

08-O-0223 (1) An Ordinance by Finance/Executive Committee to correct Ordinance Number 07-O-2216 adopted by the Atlanta City Council on November 5, 2007 and approved by the Mayor on November 13, 2007; and for other purposes.

FAVORABLE

Chairperson Shook stated that this is a couple of Quit Claim Deeds that corrects the parcel numbers and they should include the correct legal descriptions to match the identifications.

Ms. Michele Winn: of the Department of Public Works addressed the Committee by stating the matches are correct. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO FC-6040-94

08-O-0237 (2) An **Amended** Ordinance by Finance/Executive Committee Authorizing the Mayor to execute an Amendment to FC-6040-94, Airport Retail Concessions, with Host/National Concessions Management, LLC, ("HOST/NCM"), to be effective as of February 1, 2008 through April 30, 2008, authorizing HOST/NCM to provide, and the City to accept Airport Retail Concessions at Hartsfield-Jackson Atlanta International Airport under the terms set forth in Contract FC-6040-94, as amended, beginning February 1, 2008 and continuing until the City procures and executes a new Agreement for Airport Retail Concessions, but not to extend beyond April 30, 2008; authorizing the City to waive the Competitive Source Selection Requirements contained in Section 2-1187, 2-1188, and 2-1189 of Article X, Procurement and Real Estate Code, as well as any other conflicting provisions of the City of Atlanta Code of Ordinances; and for other purposes. **(Finance/Executive Committee Amendment corrects in the Third Whereas to say April 30, 2008, 2/27/08)**

FAVORABLE AS AMENDED

Mr. Mario Diaz: of the Department of Aviation addressed the Committee by stating that we are requesting to keep in place the three retail master concessions for three months. The proposals and evaluations have taken place and are completed. Councilmember Winslow asked about the Third Whereas. Councilmember Moore asked why are we doing it. Mr. Diaz responded they are due to expire on January 31st. We were not sure how much time to request. Staff lost a track of time for rebidding them. They missed the December 19th date and it was determined not to be a Walk In Paper. Councilmember Moore reiterated why. Mr. Diaz responded that staff was informed on December 10th to get a paper in by December 19th. Councilmember Moore asked in between that time why didn't they ask the Department of Procurement for a 90-day extension. Mr. Diaz responded that it was done once. Councilmember Moore asked if the 90-day extension would take us to January. Mr. Diaz responded that the 90 days is this paper. Councilmember Moore stated that this is not appropriate. Mr. Diaz agreed, but it was a strategy that did not work out. Chairperson Shook stated that it is just that staff lost track of time. He then offered an Amendment in the Third Whereas to say April 30, 2008, 6 Yeas. Councilmember Moore stated that we should not be doing this. These mistakes take place over and over again. Contracts are something that should not be missed. She thinks that this is a sloppy practice. She will Abstain until she gets

a better understanding of the history. Councilmember Maddox offered a motion to **Approve as Amended, 4 Yeas, 1 Nay, 1 Abstention.**

TO AUTHORIZE BUSINESS TRAVELER SERVICES, INC.

08-O-0238 (3) An Ordinance by Finance/Executive Committee Authorizing Business Traveler Services, Inc. to provide, and the City to accept, Airport Business Services at Hartsfield-Jackson Atlanta International Airport under the terms set forth in Contract FC-6215-95, beginning February 1, 2008 and continuing until the City procures and executes a new Agreement for Airport Business Services, but not to extend beyond April 30, 2008; authorizing the City to waive the Competitive Source Selection Requirements contained in Section 2-1187, 2-1188, and 2-1189 of Article X, Procurement and Real Estate Code, as well as any other conflicting provisions of the City of Atlanta Code of Ordinances; and for other purposes.

FAVORABLE

Councilmember Maddox offered a motion to **Approve, 4 Yeas, 1 Nay, 1 Abstention.**

TO AUTHORIZE THE MAYOR TO EXECUTE AN AMENDMENT TO FC-6039-94

08-O-0239 (4) An Ordinance by Finance/Executive Committee Authorizing the Mayor to execute an Amendment to FC-6039-94, Airport Retail Concessions, with Hartsfield Air Ventures, JV ("HAV"), to be effective as of February 1, 2008 through April 30, 2008, authorizing HAV to provide, and the City to accept Airport Retail Concessions at Hartsfield-Jackson Atlanta International Airport under the terms set forth in Contract FC-6039-94, as amended, beginning February 1, 2008 and continuing until the City procures and executes a new Agreement for Airport Retail Concessions, but not to extend beyond April 30, 2008; authorizing the City to waive the Competitive Source Selection Requirements contained in Section 2-1187, 2-1188, and 2-1189 of Article X, Procurement and Real Estate Code, as well as any other conflicting provisions of the City of Atlanta Code of Ordinances; and for other purposes.

FAVORABLE

Councilmember Maddox offered a motion to **Approve, 4 Yeas, 1 Nay, 1 Abstention.**

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2008 BUDGET

08-O-0304 (5) A **Substitute** Ordinance by Finance/Executive Committee Authorizing the Chief Financial Officer to amend the FY 2008 Budget (2004 Water and Wastewater Bond Fund) in the amount of \$44,000,000.00 to transfer Funds remaining from completed, realigned, postponed or discontinued Projects to the Reserve and to add to Appropriation Funds for Sewer Group 2 – Rehabilitation (\$20,219,094.00) and Chattahoochee/Hemphill WTP's – Various Improvements (\$14,500,000.00) and for other purposes. **(Finance/Executive Committee Substitute changes the amount from \$47,000,000.00 to \$44,000,000.00, 2/27/08)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute that changes the amount.

Ms. George Barnes: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that there is a different Substitute paper. When we are finishing projects, funds are moved to the Reserves. We are moving money to the Reserves to fund those two projects. Councilmember Maddox asked about the Camp Creek Project. Mr. Barnes responded that it is being addressed in a different manner and is being done as we speak. It transfers \$44 million dollars and \$9.3 million dollars will stay in the Reserves. Councilmember Maddox offered a motion to **Approve on Substitute, 6 Yeas.**

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE PROVISIONS CONTAINED IN ARTICLE X

08-O-0330 (6) A **Substitute** Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to execute an Agreement with Dr. Edgar Scott, for continued Physician Services and Inmate Oversight on behalf of the Department of Corrections, in an amount not to exceed one hundred eighty eight thousand dollars and no cents (\$188,000.00); all contracted work shall be Charged To and Paid From Fund, Account and Center Number 3P02 (Trust Fund) 524001 (Consultant Account) I21W02CL9999 (Inmate Welfare Fund); and for other purposes. **(Referred back by Full Council, 2/18/08); (Finance/Executive Committee Substitute corrects the expiration Fund, Account and Center Numbers, the date and Section 1, 2/27/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a Substitute.

Ms. Diane Jones: Assistant Chief of the Department of Corrections addressed the Committee by stating that this is a contract with Dr. Scott. It is for one year and funded out of the Inmate Welfare fund that they pay for. The funds are not out of the General Fund. CFO Davis responded that the Substitute corrects the Center Number and corrects the expiration date and Section 1. Chairperson Shook asked if this is work already done or moving forward.

Mr. Jack Tilson: Senior Assistant Attorney addressed the Committee by stating that the original paper did not delineate moving forward for a year. The legislation states that we are ratifying work already done. The final renewal is September 2008. Councilmember Moore asked why are we late in doing this. Under Section 1 it says that we are paying for the time already extended. Ms. Jones responded that all of it is part of the \$188,000. We have in the past made major changes such as the Budget person retiring. We are just now pulling ourselves together. When we became aware of this, we started processing the contracts that needed renewals. Councilmember Moore stated that we should not be reliant on one person. We need back up people and back up systems. Are there other contracts on the way? Ms. Jones responded yes and we are currently addressing them. Councilmember Moore stated that we need to figure out how to fix this. Does every department have the responsibility for their contracts? CFO Davis responded yes. If something existed, it would have to be in Procurement. There is a monthly contract report. It is put out by Procurement and sent to the operating department. CFO Davis responded that it takes 120 days to complete the process. There may be repositories. Councilmember Moore asked if ERP does it. CFO Davis responded that she does not know the Procurement system as well as the Finance portion. Councilmember Moore asked if something can be done legislatively. CFO Davis responded that there may be some kind of report that can be generated. Councilmember Moore asked if the money is in place. CFO Davis responded that it is a

Non Capital Fund. Chairperson Shook stated that we have invested a lot of money in providing tough love. Councilmember Maddox offered a motion to **Approve on Substitute, 6 Yeas.**

TO ABOLISH THE FUND APPEALS INVESTIGATION COMMITTEE

08-O-0335 (7) An Ordinance by Finance/Executive Committee to abolish the Fund Appeals Investigation Committee established in Section 42-40 of the City of Atlanta Code of Ordinances, to then repeal Sections 42-1 through 42-42 of said Chapter 42 (entitled "Charitable Solicitation"), and to move Section 42-43 found in Article III of Chapter 42 and insert said Section, in its entirety, in Article IV, Division 3, of Chapter 150 (entitled "Stopping, Standing and Parking") as new Section 150-137, and for other purposes. **(Referred back by Full Council, 2/18/08)**

FAVORABLE

Councilmember Moore offered a motion to **Approve, 6 Yeas.**

Councilmember Winslow stated that a lot of kids are asking for solicitations regarding football teams, etc.

Deputy Chief Turner: addressed the Committee by stating that the Begging Ordinance allows us to do different things. As far as religious purposes stand we may not be able to move people along. Councilmember Maddox asked if it is under false pretenses, it is illegal. Maybe they should have a permit. Deputy Chief Turner responded that there is a permitting process in place. Councilmember Winslow stated that there are adults there also coaching the kids. Deputy Chief Turner responded that there are two sets of items. Councilmember Winslow stated that there are children being used by the adults. Deputy Chief Turner responded that he would get with the Law Department to discuss it. Chairperson Shook stated that some times a permit is denied. Deputy Chief Turner responded that this was a Board's decision.

TO AMEND ARTICLE X, "PROCUREMENT AND REAL ESTATE CODE"

08-O-0350 (8) An Ordinance by Councilmembers C. T. Martin, Joyce M. Sheperd, Anne Fauver, Caesar C. Mitchell, Howard Shook, Natalyn Archibong, Felicia A. Moore, Clair Muller, Ivory Lee Young, Jr., Kwanza Hall, Mary Norwood and H. Lamar Willis amending Article X, "Procurement and Real Estate Code", Division 1, "Generally" of the City of Atlanta's Code of Ordinances by creating a new Section 2-1114 entitled "Contract Monitoring Plan and Reporting Requirement" for all Contracts for ten million dollars (\$10,000,000.00) or more; and for other purposes.

HELD

Chairperson Shook stated that there was general agreement and there were questions on how to do it. It came from a prior Transportation Committee meeting. Councilmember Moore stated that she asked Councilmembers to talk to Mr. Martin. She then offered a motion to Hold. Chairperson Shook asked Mr. Stokes to get with Mr. Martin regarding the details.

TO AMEND THE CHARTER OF THE CITY OF ATLANTA

08-O-0351 (9) An **Amended** Ordinance and Charter Amendment by Councilmember Howard Shook to amend the Charter of the City of Atlanta adopted under and by virtue of the Municipal Home Rule Act of 1965 (GA Laws 1965, P. 298, et. seq.) as amended to

amend Part 1, Subpart A, Article VI, Charter 3, Section 6-304 of the Charter of the City of Atlanta, Georgia (GA Laws 1996, P. 4469, et. seq.) approved April 15, 1996, as amended, so as to add a requirement that Restricted General Fund Reserves be maintained, carried over, and added to from one year to the next; and so as to require that transfers from the Restricted General Fund Reserves to General Fund Operating Accounts receive approval from the Finance Committee or equivalent Committee of the Governing Body prior to consideration by the Governing Body; and for other purposes. **(Finance/Executive Committee Amendment to add other Councilmembers, 2/27/08)**

FAVORABLE AS AMENDED

Chairperson Shook apologized because it was his intent to have other Councilmembers names attached to the Legislation. He then offered it as an Amendment. Councilmember Moore asked if it requires Council approval. CFO Davis responded yes, it has to be approved by Council. Councilmember Moore asked how the funds are generated. CFO Davis responded in year #1, 5% and in 2010 5%. We are creating it within the fund balance. Currently, today it is budgeted at \$38 million dollars and rebudgeted and this paper states that it is not to be rebudgeted. There is a line item in the fund balance identified as a Restricted Reserve. A hold is placed on the fund balance, but it can not be utilized beyond the \$38 million dollars. It is loosely floating around. This legislation proposes that the Reserves stays and it is truly Restricted. We don't contemplate budgeting cash, but rather fund balance and Reserves. Cash is an artificial number. We have used cash receivables as well. We are at a point where we have not spent all of our revenues. We are safe that the \$38 million is there. It starts in 2009 and at the end of 2009 we move it from an Undesignated Account into a Designated Account. This does not have a reduction in the fund balance. There are certain practices we want to see put in place. Councilmember Muller stated that in 2002 we put in some fiscal changes to move from 99% to 96% in Reserves. Councilmember Muller asked Mr. Stokes to research what we did in 2002. CFO Davis responded that she believes a decision was made to budget at the 96%. Councilmember Muller stated that it needs to be codified. In 2002 we codify the Code to put 5% of the Budget into Reserves. It is going to take a chart of how it is done. What rules has the City been operating under. CFO Davis responded that the budgeted Reserves cannot be spent except by doing an Ordinance. The adoption of the budget states that the Legislative Body can amend it, but it is required by law to pay for, for example: debt service, etc. It still anticipates 99% of normal revenue. She has not seen 96%. Councilmember Moore stated that we hope that people don't do Close Out Ordinances again. We need to be more engaged in the process. CFO Davis responded we can if we could do it in two steps. In order to close the books you have to collapse your current year expenditures. During the year there is an artificial closure. It ends up as a credit or a debit. She asked that we do a tentative soft Close Out and come back to identify it. Councilmember Moore stated that we need a better understanding. Councilmember Winslow asked if during the year is there a time when an employee could identify money that is going out more than coming in. CFO Davis responded that there is no one sitting there watching. Before Oracle, watching would not have helped. One of the greatest difficulties is there is no Purchase Orders. Without discipline along with the system, it means nothing. Until we change our practices and do the backlogs, we will always have a problem. Councilmember Winslow stated that we passed legislation to get people trained for Oracle. CFO Davis responded that we were approving support for Oracle. Some employees neglected to attend training. The City paid for trainers and they were off of contract on February 28th. We had training in November and December and a lot of people were on vacation during that time. Councilmember Winslow asked if the departments have to pay for their own training. CFO Davis responded that because they did not take it when it was free they now have to pay for it. Councilmember Winslow stated that there was a breakdown somewhere. CFO Davis responded that we had posters, meetings and e-mails. Councilmember Maddox asked if we went back into the Reserves, what affect it would have on our Bond

Ratings. CFO Davis responded none at all. We are rated on budgeting the Reserves every year. They want to see that there could be a reason for an emergency cushion. Councilmember Maddox stated that the Chief Operating Officer should address this issue and come back with a Plan of Action to address it. Councilmember Muller asked about reimbursements of the refunds from Watershed Management. CFO Davis responded that we have generated reports and when the refund invoices are forwarded, we pay them. We don't have a long turn around time for Accounts Payable when the invoices are appropriately presented. It depends on when they receive it. Councilmember Moore stated that she is concerned with the Trust Funds. CFO Davis responded that you can see the balance in the roll up. The glitch is getting to the funds because it is in a roll up level. Chairperson Shook offered a motion to **Approve as Amended to add other Councilmembers, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH HOGAN CONSTRUCTION GROUP

08-R-0404 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with Hogan Construction Group, LLC, for FC-6007000081, Construction of Public Safety Annex, on behalf of the Office of the Mayor, in an amount not to exceed eighteen million two hundred ninety two thousand dollars and no cents (\$18,292,000.00), to be Charged To and Paid From Fund Account and Center Number 1C51 (Capital Finance Fund) 573002 (Construction in Progress) D45C05029999 (Public Safety & Judicial Facilities-Annex); and for other purposes.

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE LEASE/PURCHASE AGREEMENT WITH WACHOVIA BANK

08-R-0405 (2) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Lease/Purchase Agreement with Wachovia Bank, for _____, on behalf of the Office of the Mayor, in an amount not to exceed _____; to provide for advertisement in an newspaper of general circulation and set a Public Hearing; and for other purposes.

HELD

TO AUTHORIZE THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT

08-R-0406 (3) A Resolution by Finance/Executive Committee Authorizing the Mayor to execute the First Amendment to the Purchase and Sale Agreement between the City of Atlanta and Ponce Park, LLC, to extend the closing date for the property located at 695 Ponce De Leon Avenue, S.E. also known as City Hall East; and for other purposes.

HELD

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the

Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA

07-O-0138 (2) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

07-O-0622 (3) An Ordinance by Councilmembers Anne Fauver and Carla Smith Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances to maximize efficiency in purchasing systems furniture for several City of Atlanta Capital Projects; and for other purposes. **(Held, 3/28/07 pending a Substitute to include other Projects)**

HELD

TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA 30331

07-O-0623 (4) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE FALLS SUBDIVISION

07-O-0624 (5) An Ordinance by Councilmember James Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY**

- 07-O-0968 (6) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE HUNTINGTON COMMUNITY**

- 07-O-0969 (7) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Huntington Community (Pompey Drive/Old Fairburn Road) to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD**TO AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA**

- 07-O-0974 (8) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD**TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT**

- 07-R-1086 (9) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC50755 with Bank of America, N.A., on behalf of the Department of Finance, for the use of Bank of America Visa purchasing cards and associated services; and for other purposes. **(Held, 5/30/07 pending receipt of documentation that the recommendations from the Credit Card Audit are met)**

HELD**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE**

- 07-O-1087 (10) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit

cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes. **(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT

07-R-1904 (11) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD

TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM

07-R-2138 (12) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007

07-R-2139 (13) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO CREATE A NEW SECTION 2-46.1

08-O-0085 (14) An Ordinance by Councilmembers Felicia A. Moore, C.T. Martin, Mary Norwood, Jim Maddox, Ivory Lee Young, Jr., Ceasar C. Mitchell, Joyce M. Sheperd and Natalyn Archibong to create a new Section 2-46.1 entitled "Authorization Required by City Council for Requested Local Government Approval and/or Letters of Support"; and for other purposes. **(Held, 1/16/08)**

HELD

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS AND THE ATLANTA POLICE DEPARTMENT, TO ENTER INTO RENEWAL AGREEMENT NO. 1

08-R-0213 (15) A Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Public Works and the Atlanta Police Department, to enter into Renewal Agreement No. 1, with ACS State and Local Solutions, for FC-7649-04, Annual Contract for the Red Light Camera Enforcement Program ("Program"), for the purpose of reducing the number of accidents caused by Red Light Violators in the City of Atlanta. All revenue collected from the Program shall be deposited into Fund, Account, and Center Number: 3P02 451101 M23T07479999 and all expenses generated from the Program shall be Paid From Fund, Account and Center Number: 3P02 529002 M23T07479999; and for other purposes. **(Held and Substituted, 2/13/08); (Finance/Executive Committee Conditional passage to add a response from the Law Department as an attachment, 2/27/08)**

FAVORABLE ON CONDITION

CFO Davis stated that the Department was to reconcile their numbers with MARS-G numbers. The more effective the cameras are, the more feasible they are because people stop getting tickets.

Ms. Sandy Jennings: of the Department of Public Works addressed the Committee by stating that there is a discrepancy of \$30,000.00 in MARS-G. It will go to increasing the numbers of cameras. The relocation is in terms of the program. CFO Davis responded that part of the discussion is to cease a separate Trust Fund. Things get distorted. The revenues need to be available to the general government for operations. It is not an Enterprise Fund. If we isolate Funds, you run into problems. She asked in the future that legislation allow departments to carve out revenue they generate be shared. Chairperson Shook asked about the accident data. Ms. Jennings responded that there is about a 23% reduction in accidents. We have graphs of each location that shows the spikes. Chairperson Shook asked about the locations? Ms. Jennings responded that high accident locations support the cameras. Chairperson Shook stated that he supports them, but he has concerns with looking at the bottom line. He does not understand why the program has not expanded. Ms. Jennings responded that we have eight locations. She then passed out a fact sheet. There are not a whole lot of citations. Chairperson Shook stated that after three years we have not expanded. Ms. Jennings responded that one of the things was that the first camera was installed in 2004. In 2007 we had the full amount of data. Chairperson Shook asked how many will we have by next year. Ms. Jennings responded that in twelve months we should have 20 cameras at twelve locations. One location can have up to six or eight cameras. Councilmember Muller asked about putting one camera at an intersection. There are 16 cameras at 8 locations. Ms. Jennings responded that we are going to get to a point of balance. We identified 20 intersections at the beginning. Councilmember Hall asked about the revenue balance. Ms. Jennings responded that it has to do with the time money can be booked. CFO Davis added that it is an interface issue because their system is not integrated with ours. We can't record it in the appropriate balance. It has not been allocated to those accounts yet. Councilmember Moore asked about the fine print at the bottom. CFO Davis responded that they are on hold for a reason. Ms. Jennings added that it has been worked through and we are making payments. Chairperson Shook asked if the camera on Peachtree and Piedmont that was taken down for construction will be put back.

Mr. Nursef Kadir: of the Department of Public Works addressed the Committee by stating that we would have to start over reviewing the data. Councilmember Martin

asked for the Failure To Appear data for this Program. Mr. Kadir responded that we are looking at it Citywide.

Mr. Dave Walker: addressed the Committee by stating that he wants safety, but he does not want the government to watch him. We need the police to do foot patrol. Councilmember Moore stated that there is a Bill in the Legislature about outlawing the Red Light Camera Legislation. If we pass this and it is outlawed, what happens? Can we put something in it to protect us? Senior Assistant City Attorney Tilson responded that he would have to look at the legislation first. Mr. Kadir added that if the contract changes we have an obligation. Councilmember Muller stated that the legislation is on the Senate Bill. Councilmember Moore offered a motion to **Approve on Condition to add a response from the Law Department as an attachment, 3 Yeas, 1 Nay.**

TO RESCIND ORDINANCE 07-O-2410

08-O-0295 (16) An Ordinance by Councilmembers H. Lamar Willis, Anne Fauver, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr. to rescind Ordinance 07-O-2410; and for other purposes. **(Held, 2/13/08)**

HELD

Councilmember Moore offered a motion to continue to Hold this paper.

A SIXTH SUPPLEMENTAL BOND ORDINANCE

08-O-0298 (17) An Ordinance by Councilmember Howard Shook a Sixth Supplemental Bond Ordinance to ratify, reaffirm, and supplement that certain Master Bond Ordinance adopted on March 31, 1999, as supplemented and amended by that certain First Supplemental Bond Ordinance adopted on March 5, 2001, that certain Series 2001 Bond Ordinance adopted on December 5, 2001, that certain Series 2004 Bond Ordinance adopted on August 16, 2004, as supplemented by that certain Supplemental Series 2004 Bond Ordinance adopted on September 15, 2004, that certain Fifth Supplemental Bond Ordinance adopted on November 19, 2007; to provide for the conversion by the City of Atlanta of \$105,600,000 in aggregate principal amount outstanding of its Water and Wastewater Revenue Bonds, Series 2001C, presently operating in the auction rate mode, to the (daily) (weekly) mode; and for other purposes. **(Held, 2/13/08)**

FILE

A TWELFTH SUPPLEMENTAL BOND ORDINANCE

08-O-0299 (18) An Ordinance by Councilmember Howard Shook a Twelfth Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000, as previously amended and supplemented, to authorize the issuance by the City of Atlanta of its variable rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregate principal amount of not to exceed \$550,000,000, each to bear interest in a variable rate mode; to refund all or a portion of the City's variable rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-C; to provide for a reasonably required Debt Service Reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of

said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the annual submission of certain financial information and operating data pursuant to Rule 15C2-12 of the Securities and Exchange Commission; to designate one or more Underwriters and Remarketing Agents, and a Tender and Paying Agent and to approve forms of various other agreements in connection with the Issuance of said Bonds; providing for incidental action; providing for severability; to provide an effective date; and for other related purposes. **(Held, 2/13/08)**

HELD

ITEMS NOT ON AGENDA

Councilmember Moore asked about a process in notifying Councilmembers when other jurisdictions pass legislation regarding the EMS. The situation is that they need \$7 million dollars and the County is not going to pay it. CFO Davis responded that she has placed in the budget a \$7 million dollar line item because she did not know what the alternative would be if we didn't do it. Councilmember Moore stated she did not know anything about this. Councilmember Muller agrees it may be an opportunity to talk to other Cities. Councilmember Moore stated that this started with Cities outside of Atlanta. We still have the other issue of Animal Control services for each City. CFO Davis responded that we only did it for this year because it was to be a reduced amount. Councilmember Moore asked the Law Department for a better understanding. The contract is between the County and EMS.

Mr. Greg Pridgeon: Mayor's Office Chief of Staff addressed the Committee by stating that Fulton County is discontinuing the services. Councilmember Moore asked why weren't we informed. Mr. Pridgeon responded that we understood that the County was discussing it. The Mayor or her Designee was meeting with the County Officials along with representatives regarding Animal Control. The County stated that they had a budget shortfall, but they would debate the issue. There are two issues EMS service and Animal Control services. There were two standards of concern for the EMS services, which was to reach people in 12 or 8 minutes. If you wanted 8 minutes, you would have to provide the service. The Animal Control issue was that the County was concerned that each jurisdiction should pick it up. They did not ask us for any additional funds. The County stated that the current people are not interested with continuing their contract. There is a company that had bided within the price range. Councilmember Fauver stated that she attended the Fulton County meeting regarding Animal Control and the contract was put out for bid. The Southern Hope Company got upset because they did not get the contract and gave the County a deadline. On March 8, 2008 a new contractor will take over. Councilmember Muller asked if the \$6.7 million dollars is for us or the whole County. Is this legal? Mr. Pridgeon responded it is just for the City of Atlanta. Councilmember Moore stated that the County found a loophole in the contract. Councilmember Winslow stated that the 1952 Law says that Fulton County was designated to provide health care services. Councilmember Muller asked about the Service Delivery Plan. Mr. Pridgeon responded that all of the municipalities are disturbed with this. Councilmember Martin asked about the money passed for the International Commission. CFO Davis responded that during the conversion that account was converted into the Mayor's Office Accounts, but it is with the City Council's budget now. It was originally budgeted at \$90,000. It was a clerical error that got it grouped with the Mayor's Accounts. Councilmember Martin asked who has used the Account. CFO Davis responded that \$90,000 was put in the Account in

July 2007. Councilmember Martin asked if it is accrued. CFO Davis responded that we were made aware of it being in the wrong Account by Councilmember Maddox's Office. Mr. Walker asked if anyone has abused this Account. CFO Davis responded that the \$90,000 is still there and it awards grants to different recipients. Councilmember Martin asked who gets the money. Do you vote to approve someone? CFO Davis responded that the recipients are listed in Ordinance **07-O-2143**. Councilmember Martin asked if anyone could travel on this Account. CFO Davis responded that all of them are in the Service Grants and not Travel. Councilmember Moore asked for a list. CFO Davis responded that we would provide a history of the Account. Councilmember Moore stated that it is part of the Council's budget. CFO Davis responded that it is treated as a Project. Councilmember Moore asked if it should be budgeted with the other Commissions and Boards. CFO Davis responded that it is the purview of Council and it would have a difference of approval process it is under Boards and Commissions.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."